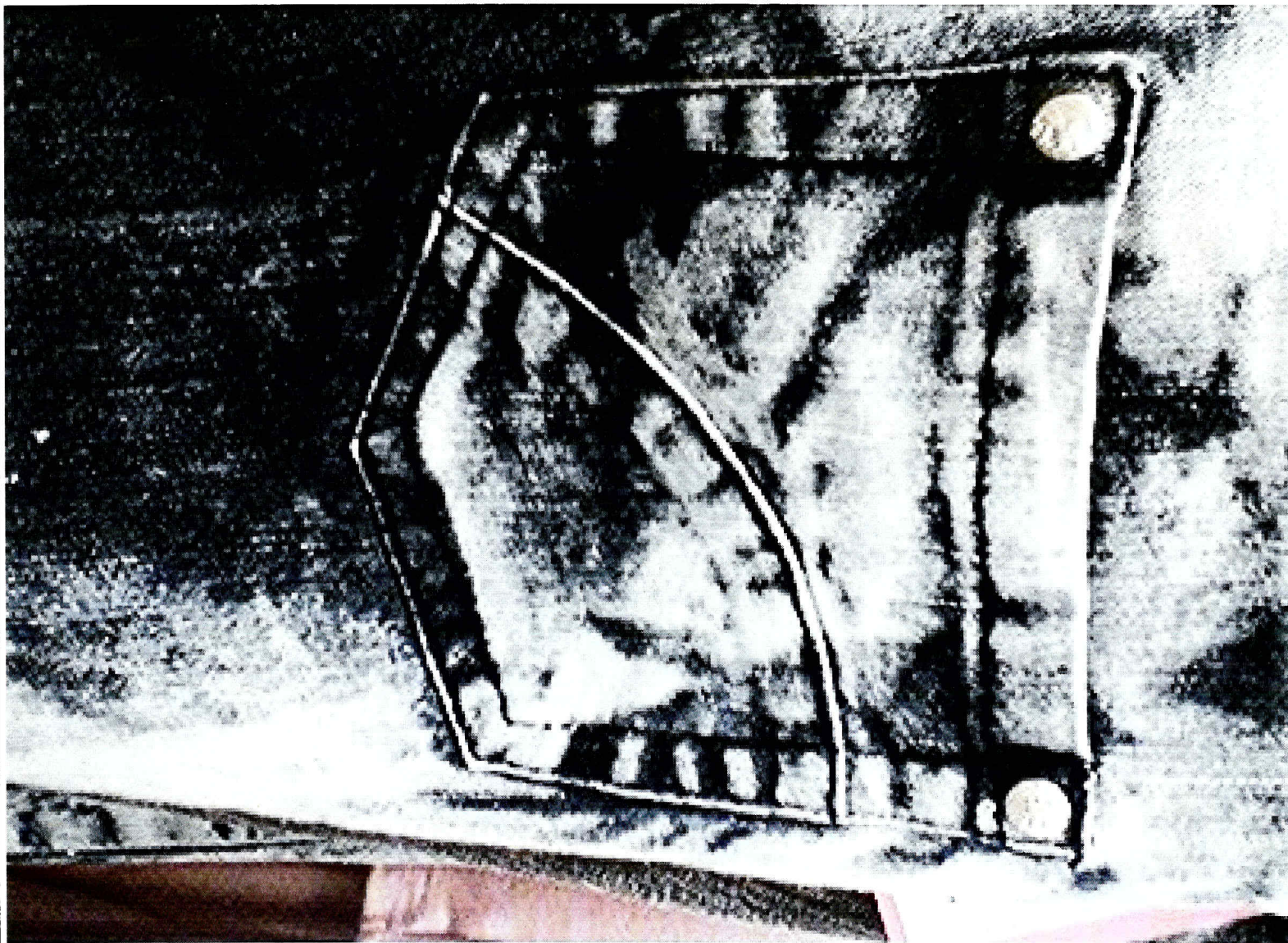


EXHIBIT B



GORDON E. R. TROY, PC
Gordon E. R. Troy (GT3737)
3333 Lake Road
PO Box 368
Charlotte, VT 05445
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gtroy@webtm.com E-mail

Attorney for Plaintiff, Revise Clothing, Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Revise Clothing, Inc.,
Plaintiff,

v.

Joe's Jeans Subsidiary, Inc.,
Joe's Jeans, Inc, formerly known as,
Innovo Azteca Apparel, Inc. and
Innovo, Inc.
Defendants

Case No. 09 CV 3961

Exhibit 3

JORDAN A. LaVINE
Direct Dial: (215) 279-9389
E-Mail: jordan.lavine@flastergreenberg.com

March 31, 2009

Via Facsimile and Mail

Gordon Troy
Gordon E. R. Troy, PC
3333 Lake Road
PO Box 368
Charlotte, VT 05445

Re: "Inverted Arc" Pocket Stitch Design Trademark of Joe's Jeans, Inc.
Your Ref: 1588-021
Our Ref. No. I0129.5003

Dear Mr. Troy:

Thank you for your letter of March 20, 2009. For the reasons discussed herein, we reiterate our demand, on behalf of Joe's Jeans, Inc., that Target and your client, Revise Clothing, Inc. cease their sale of apparel bearing the infringing stitch design described in our letter of March 5, 2009 to Target Brands, Inc.

We wrote our initial letter to Target Brands with the hope of amicably resolving this matter. While we fully expected that we would receive a response from the supplier of the jeans to Target and not Target itself, we were somewhat surprised by the antagonistic tone of your letter.

You are correct that the date of first use alleged in Joe's Jeans' Registration No. 3,506,808 is "at least as early as February 28, 2008." Joe's Jeans began selling its apparel bearing the stitch design at issue, however, much earlier than that date. Enclosed with this letter are tech packets and invoices that evidence Joe's Jeans' use in commerce of its inverted arc pocket stitch design at least as early as August 2006 and its development of the pocket stitch design in June 2006. These dates predate the alleged first display and sale for your clients products in June and November 2007, respectively. Accordingly, Joe's Jeans is the prior user of the trademark at issue.

We additionally disagree that Joe's Jeans has not established distinctiveness in its stitch design trademark. Joe's Jeans' inverted arc stitch design is among the most well-known pocket stitch designs in the field of jeans and premium jeans. The popularity of the design is evidenced by the significant sales of Joe's Jeans' apparel bearing the stitch design, including in major retail channels such as Macy's, and in countless boutiques across the country.

Gordon Troy
March 31, 2009
Page 2

We also find unpersuasive your arguments that the respective trademarks are not similar in appearance. Your attempt to distinguish the designs appears to focus on the fact that your client's back pockets consist of a "pieced pocket," while Joe's Jeans' pocket stitch design consists of actual stitching. This argument ignores the overall similarity of the designs -- the look of the respective pocket designs is substantially similar. The result of this similarity has been several instances of actual confusion that have come to the attention of Joe's Jeans in the last several weeks. And perhaps more importantly, Joe's Jeans' pocket stitch design, when it was conceived and first sold, also consisted of a pieced pocket. You will see references to Joe's Jeans' pieced pocket design on the pages marked "Page 8 of 10," "Page 1 of 13" and "Page 11 of 13," for example, in the materials enclosed.

We remain hopeful that your client will voluntarily cease its sales of products bearing the infringing pocket design. Joe's Jeans will have no choice but to take such further action as is necessary to protect its valuable trademark rights if your client does not promptly agree to the demands made in our letter of March 5th and provide the information requested in that letter. Such action might include, for example, filing a complaint against your client and Target for trademark infringement and unfair competition, and seeking injunctive relief and damages.

If you would like to discuss this matter, please do not hesitate to contact the undersigned.

Very truly yours,


Jordan A. LaVine

Enclosures

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Attorney for Plaintiff, Revise Clothing, Inc.

UNITED STATES DISTRICT COURT
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Revise Clothing, Inc.,
Plaintiff,

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Joe's Jeans Subsidiary, Inc.,
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Innovo Azteca Apparel, Inc. and
Innovo, Inc.
Defendants

Case No. 09 CV 3961

Exhibit 4



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JORDAN A. LAVINE
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April 14, 2009

Via Facsimile and Mail

Gordon Troy
Gordon E. R. Troy, PC
3333 Lake Road
PO Box 368
Charlotte, VT 05445

Re: "Inverted Arc" Pocket Stitch Design Trademark of Joe's Jeans, Inc.
Your Ref: 1588-021
Our Ref. No. I0129.0038

Dear Mr. Troy:

This responds to your letter of April 8, 2009.

We disagree that there is any question as to Joe's Jeans' prior rights in its Inverted Arc stitch design relative to the parties' first uses of stitch designs at issue. As shown in the materials included with our letter of March 31, 2009, Joe's Jeans began using its distinctive stitch design in June 2006, which long predates your client's alleged first use of its stitch design. In this regard, we also question the veracity of your statement that your client's products were conceived without knowledge of Joe's Jeans' Inverted Arc stitch design.

We will not in this letter respond point-by-point to your protracted effort to disprove that a clear likelihood of confusion exists between the respective product designs. Suffice it to say, we believe the similarity of the respective pocket designs and the several instances of actual confusion that have arisen speak for themselves.

That Joe's Jeans slightly modified the construction of its Inverted Arc stitch design is a red herring. The appearance of the original pocket design and the current design are substantially the same. We also are not persuaded by your arguments concerning the allegedly different trade channels for the products or alleged purchaser sophistication. Your client's sale of apparel bearing a facsimile of Joe's Jeans' trademark violates Joe's Jeans trademark rights – whether the products are sold in precisely the same trade channels or not. As to purchaser sophistication, purchasers of your client's products are likely to believe falsely that the jeans are

Gordon Troy
April 14, 2009
Page 2

a less expensive version of Joe's Jeans' products or that they are overstock items. That instances of confusion have arisen between the marks also belies your arguments regarding the alleged sophistication of the purchasers for these products.

Finally, Joes Jeans is confident that it would be able to show not only that its Inverted Arc stitch design has acquired distinctiveness, but that its rights in the stitch design are strong. Your client's likely copying of the stitch design only underscores the distinctiveness and strength of Joe's Jeans' trademark.

While we appreciate your client's offer to phase out its use of the stitch design, your offer is far too vague. Joe's Jeans requires that you provide written confirmation of your client's agreement to *immediately* cease its sales of infringing products *and* provide the accounting of its sales of infringing products to date, as requested in our prior correspondence. If your client is unwilling to provide this confirmation and the accounting by April 18, 2009, Joe's Jeans will have no choice but seek the relief to which it is entitled in federal court and will take such action without further notice to you.

If you would like to discuss this matter, please do not hesitate to contact the undersigned.

Very truly yours,


Jordan A. LaVine

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Attorney for Plaintiff, Revise Clothing, Inc.

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Revise Clothing, Inc.,
Plaintiff,

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Joe's Jeans, Inc, formerly known as,
Innovo Azteca Apparel, Inc. and
Innovo, Inc.
Defendants

Case No. 09 CV 3961

Exhibit 5

Gordon E.R. Troy

From: LaVine, Jordan [Jordan.LaVine@flastergreenberg.com]
Sent: Tuesday, April 21, 2009 5:15 PM
To: Gordon E.R. Troy
Subject: Joe's Jeans Subsidiary, Inc./Revise Clothing

Importance: High

Without prejudice

Dear Mr. Troy:

I received the voicemail you left for me this past Friday at approximately 1:15 p.m. I returned your call and left you a voicemail at approximately 3 p.m. on the same day. I left you another voicemail yesterday morning.

If we do not hear from you by the close of business tomorrow, we will have no choice but to proceed with the filing of a complaint for trademark infringement and unfair competition against your client and Target.

If you would like to discuss this matter, please contact us.

Sincerely,
Jordan LaVine

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